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A TRIBUTE TO FRANK X. ALTIMARI

Honorable Ralph K. Winter¹

This special issue of the *Touro Law Review* is dedicated to the late Honorable Frank X. Altimari. Frank's professional career had few equals.

After long service as a state court judge, he served three years as a United States District Judge and thirteen years as a member of this court. However, the posts he held and the honors he received -- although extraordinary -- tell us little about a man whose basic humanity, whose passion, leave indelible memories for his family, his friends, and we, his colleagues.

Frank was the salt of the earth, a deeply religious man devoted to his family, a man from what has unfortunately come to be known as the old school.

As a judge, he never postured. He did not berate a lawyer. He did not try to get attention through opinions with flashy first paragraphs. He did not seek to write quotable lines that made good press but bad law. He didn't write on newsworthy or interesting issues when there were better and narrower grounds for decision. He was interested only in being right, in being sensible, in deciding as little as possible, and in resting that decision on the solidest ground available.

Still, Frank was a very passionate person, as a judge, as a New York Giant's fan, as a sculptor, and as a father, husband, and grandfather.

You always knew where Frank stood when there was occasional disagreement on the court about a decision or administrative matter. As I have said on other occasions, sometimes you knew where Frank stood two or three times a day. And you knew that where he stood today was where he would stand next week, next month, and next year.

You also always knew where he stood as a person. To be Frank Altimari's friend was to have a loyal champion, one as sturdy and enduring as the marble on which he sculpted. He was always

¹ Chief Judge, United States Court of Appeals, Second Circuit.

available with a warm and sympathetic ear, with an anecdote about law or family that taught and amused.

Because of his openness, our conversations in the last years became somber as the dimensions of the oncoming ordeal became ever more apparent. We talked of it openly, even to the point of agreeing to advance the award of an honorary degree by Brooklyn Law School, which the school was bestowing upon one of its most notable graduates.

Frank was, as I said, the salt of the earth, with old-school values. He was a person with tremendous professional achievements, but, if you asked him what was his most important accomplishment, the word judge would not be mentioned. The importance of career to Frank was dwarfed by his devotion to his family. One did not have to know Frank long to grasp the profound love and pride he had and took in his family.

A district judge has told me that he tried his first case before Frank, and, when the trial was over, Frank asked him into his chambers. The young lawyer expected a critique of trial tactics; instead, he was told how people could not know the true pleasures of life until they had children.

Visitors to his chambers found themselves surrounded by photos of Angie and their children and grandchildren at virtually every age. I told him once, when visiting his chambers in Uniondale, that now I understood why Kodak had become such a big company.

But most of all, those who knew Frank well knew of his adoration for his only romantic love, our dear Angie.

As I said, Frank and I often talked about his relentlessly unfolding ordeal over recent years. As the calendar of his life focused on dates of progressive medical tests, our conversations turned to the ever-dwindling options. He exhibited courage by frank admissions of fear, always tempered by a calm but profound pride in his service to his God and to his family.

We have lost a cherished colleague; we are comforted, however, by our memories of this passionate and wonderful human being.